IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2677 OF 2007

M/s.Shri Ram Enterprises .. Petitioner
V/s
Union of India & Ors. .. Respondents

Mr.Ashok Singh i/by M/s.Ace Legal Consultants for the Petitioner.

Mrs.S.V.Bharucha with Mrs.Neeta Masurkar i/by Mr.H.P.Chaturvedi for the Respondents.

CORAM : DR.S.RADHAKRISHNAN, &
V.C.DAGA, JJ.

DATE : 26th April, 2007.

P.C.:

1. Heard the learned Counsel for the parties. By this Petition, the Petitioner is challenging an order dated 23.03.2007 whereby the CESTAT has dismissed the Appeal for non compliance of its earlier order of pre-deposit. By an earlier order dated 22.02.2007 the CESTAT had directed pre-deposit of Rs.2 lakhs.

2. The learned Counsel for the Petitioner states that the petitioner will deposit the amount of Rs.2 lakhs (as per the pre-deposit order) with the CESTAT within a period of six weeks from today.

3. Upon the Petitioner depositing the aforesaid amount of Rs.2 lakhs with the CESTAT within a period of six weeks from today, the order of the CESTAT dated 23.03.2007 shall stand quashed and set aside and the Appeal shall stand restored to the file of CESTAT. The

CESTAT thereafter shall dispose of the said Appeal in accordance with law, on its own merits.

4. Petition stands disposed of.

(V.C.DAGA, J.) **(DR.S.RADHAKRISHNAN,J.)**